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WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION)

CIRA CENTRE, 12TH FLOOR

2929 ARCH STREET

PHILADELPHIA, PA 19104-2891

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| EXAMINER |
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PERUNGAVOOR, VENKATANARAY

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2432

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01/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/791,035

Applicant(s)

JAGANATHAN ET AL.

Examiner

Venkat Perungavoor

Art Unit

2432

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-18 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-6, 8-20, 12-13, 15-18 and 21-27 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 11 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 8, 15, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication 2004/0136533 to Takagaki et al.(hereinafter Takagaki).

Regarding Claim 1, Takagaki discloses receiving an encryption algorithm request wherein the request specifies an encryption algorithm for subsequent communications between client and server see Fig. 1 item "set encryption algorithm"; sending a subsession key to the client, wherein the subsession key may be used in conjunction with encryption algorithm to encrypt future messages see Fig. 4 item S402 & Par. 0012; the negotiating of established encryption algorithms see Fig. 3.

Regarding Claim 8, Takagaki disclose sending an encryption algorithm request to server indicating that a client computer supports a specified encryption algorithms see Fig.3; anticipating a subsession key with encryption algorithms see Fig.4 item S402 & Par. 0012; switching to specified algorithm if the subsession key is delivered see Fig. 3 & Fig. 4.

Regarding Claim 15, Takagaki discloses automatically renegotiating an encryption algorithm when a first computer requests access to a second computer, comprising:

receiving at the first computer a function call made by an application to an Application Programming Interface("API") see Fig. 32 item S3201; and

initiating in the first computer an authentication protocol process to authenticate the first computer to the second computer see 0078 ; and

including an automatic renegotiation request for an encryption algorithm with an authentication protocol process communication from the first computer to the second computer, wherein the renegotiation request specifies that the first computer supports one or more encryption algorithms see Par. 0079.

Regarding Claim 24, Takagaki discloses the receiving a encryption algorithm request wherein the request specifies an encryption algorithm for subsequent communications between client and server see Par. 0078 and sending and receiving as part of a

authentication protocol see Par. 0179; the switching to specified algorithm if the subsession key is delivered see Par. 0176; and negotiating of encryption algorithms see Fig. 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6, 8-9, 24-26 are rejected under 35 U.S.C. 103(a) as being anticipated by US Patent Publication 2004/0136533 to Takagaki et al.(hereinafter Takagaki) in view of RFC 3244-Microsoft Windows 2000 Kerberos Change Password and Set Password Protocols by Swift et al.(hereinafter Swift)

Regarding Claim 2, Takagi does not disclose the authentication protocol. However, Swift discloses the sending and receiving as part of a authentication protocol see Page 3 par. 1. It would be obvious to one having ordinary skill in the art at the time of the invention to include authentication protocol in the invention of Takagi in order to utilize unused fields in protocol headers and to couple operations see "Reply Message" & Page 3 Par. 2.

Regarding Claim 9, Swift discloses the authenticating a server computer see Page 2 "KRB_PRIV message".

Regarding Claim 25-26, Swift discloses the encrypting of AP-REQ using an algorithm see Page 3 Par. 1.

Claims 3-6, 10-13, 15-18, 21-23, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2004/0136533 to Takagaki et al. (hereinafter Takagaki) in view of RFC 3244-Microsoft Windows 2000 Kerberos Change Password and Set Password Protocols by Swift et al. (hereinafter Swift) further in rpcsec_gss, kadmin service principal, etc by Coffman, Kevin.

Regarding Claim 3, 10, 23, 27, Takagaki nor Swift discloses the gss interface for authentication protocol. However, Coffman discloses the gss interface for authentication protocol see Page 1 Par. 3 "The kpasswd...". It would have been obvious to one having ordinary skill in the art at the time of the invention to include the GSSAPI in the invention of Swift in order to include the protocol in a package or suite akin to RPC.

Regarding Claim 5-6, 12-13, 22, Swift discloses the encrypting of AP-REQ using an algorithm see Page 3 Par. 1.

Regarding Claim 16-17, Swift discloses the deriving of algorithm from key see Page 3 Par. 2 "The newpasswd ...".

Regarding Claim 18, Swift discloses the switching to specified algorithm if the subsession key is delivered see Page 3 "AP-REP data" & Page 2 "AP-REQ data".

Regarding Claim 21, Swift discloses the sending and receiving as part of a authentication protocol see Page 3 Par. 1.

Allowable Subject Matter

Claims 4, 7, 11, 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto

Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

/N. P./
Examiner, Art Unit 2432
January 2, 2009

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2432